


192167

	US DOT # 1725600	Legal: MICHAEL NIERWIENSKI Operating (DBA): FAIRWAY MOVING SERVICES		2008-109-T	
MC/MX #: 632387		Federal Tax ID:			
Review Type: Compliance Review (CR)					
Scope: Principal Office		Location of Review/Audit: Company facility in the U. S.		Territory: F	
Operation Types - Interstate Intrastate					
Carrier: N/A Non-HM		Business: Individual			
Shipper: N/A N/A		Gross Revenue: \$50,000.00		for year ending: 12/31/2007	
Cargo Tank: N/A					
Company Physical Address: COPY					
5063 WESTWIND DR MYRTLE BEACH, SC 29579				Posted: <u>test</u>	
Contact Name: MICHAEL NIERWIENSKI				Dept: <u>SA</u>	
Phone numbers: (1) 843-236-4185 (2) 843-685-3651 Fax				Date: <u>4/29/08</u>	
E-Mail Address:				Time: <u>3:00</u>	
Company Mailing Address:					
5063 WESTWIND DR MYRTLE BEACH, SC 29579					
Carrier Classification					
Authorized for Hire					
Cargo Classification					
Household Goods					
Does carrier transport placardable quantities of HM? No					
Is an HM Permit required? N/A					
Driver Information					
Inter		Intra		Average trip leased drivers/month: 0	
< 100 Miles:		1		Total Drivers: 1	
>= 100 Miles:				CDL Drivers: 0	
Equipment					
		Owned	Term Leased	Trip Leased	Owned Term Leased Trip Leased
Truck		1	0	0	
Power units used in the U.S.: 1					
Percentage of time used in the U.S.: 100					

RECEIVED

APR 29 2008

PSC SC
DOCKETING DEPT.



FAIRWAY MOVING SERVICES (MICHAEL NIERWIENSKI dba)

U.S. DOT #: 1725600

Review Date:

04/25/2008

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

South Carolina State Transport Police / Motor Carrier Compliance Unit
10311 Wilson Blvd. Building D-2 PO Box 1993
Blythewood SC 29016

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: MICHAEL NIERWIENSKI

Title: OWNER

Name: *Michael Nierwinski*

Title: *owner*





FAIRWAY MOVING SERVICES (MICHAEL NIERWIENSKI dba)
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Part B Violations

1 STATE	Primary: 391.21(a) CFR Equivalent: 391.21(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Using a driver who has not completed and furnished an employment application. Example Driver's name - Michael Nierwinski, Trip date - 04/07/2008.					
2 STATE	Primary: 396.3(b)(1) CFR Equivalent: 396.3(b)(1)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Failing to keep a maintenance record which identifies the vehicle, including make, serial number, year, and tire size. Example Company number - 5353601, 2001 International Truck, Trip date - 04/07/2008. Maintenance file missing truck number and tire size.					
3 STATE	Primary: 396.19(b) CFR Equivalent: 396.19(b)	Discovered 1	Checked 1	Drivers/Vehicles In Violation 1	Checked 1
Description Failing to maintain evidence of inspector's qualifications. Example Inspectors name - David Cunningham, Inspection date - 04/03/2008, Trip date - 04/07/2008.					
Safety Fitness Rating Information: Total Miles Operated 25,000 Recordable Accidents 0		OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0			

Your proposed safety rating is :

This Review is not Rated.





FAIRWAY MOVING SERVICES (MICHAEL NIERWIENSKI dba)
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Part B Requirements and/or Recommendations

1. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.
2. Review the circumstances under which a CDL is required. CDL and drug testing rules apply to both interstate and intrastate commerce.
3. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
4. Use of radar detectors or similar devices on commercial vehicles is illegal. Do not require or permit drivers to use them. Take appropriate disciplinary action against drivers if they are using such devices.
5. Do not schedule or require drivers to make trips requiring them to exceed posted speed limits in order to complete the run within the hours of service limits.
6. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
7. Obtain from any driver used for the first time (or intermittently) a signed statement showing the total time on-duty during the preceding seven (7) days and the time at which the driver was last relieved from duty.
8. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
9. Ensure that the persons or entities that perform preventative maintenance inspections on your equipment are abiding by agreed time or mileage intervals. Ensure that records are kept of such periodic preventative maintenance inspections. Take corrective action, if schedules are not being adhered to.
10. This report contains citations of regulations that are deemed serious in nature and could result in penalties against your company and/or your drivers.
11. Notice: On April 28, 2003, the FMCSA published a final rule revising the hours-of-service regulations for commercial motor vehicle drivers. Under the new rule, drivers may drive 11 hours after 10 consecutive hours off-duty, but may not drive beyond the 14th hour after coming on-duty. Similar to existing rules, drivers may not drive after being on-duty for 60 hours in a seven-consecutive-day period or 70 hours in an eight-consecutive-day period. This on-duty cycle may be restarted whenever a driver takes at least 34 consecutive hours off-duty. Short-haul truck drivers, who routinely return to their place of dispatch after each duty tour and then are released from duty, may have an increased on-duty period of 16 hours once during any seven consecutive day period.

Carriers and commercial motor vehicle drivers are required to comply with the current hours-of-service rules through January 3, 2004. Compliance with the "new" regulations is mandatory for all carriers, except passenger-carrying operations, beginning on January 4, 2004. Passenger-carrying motor carriers and drivers are not subject to the new maximum driving limits. For more information on these regulations, please access the FMCSA website at www.fmcsa.dot.gov.
12. A complete Educational and Technical Assistance package entitled "A MOTOR CARRIER'S GUIDE TO IMPROVING HIGHWAY SAFETY" is available free on the FMCSA website to assist you in complying with the safety regulations. It contains many forms and documents useful for improving the safety of your operations. Check: www.fmcsa.dot.gov/factsfigs/eta/index.html.





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Part B Requirements and/or Recommendations

13. Ensure property-carrying drivers take an off-duty period of 34 or more consecutive hours prior to restarting any period of 7/8 consecutive days.
14. For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001
For questions about licensing, authority or MC numbers: 202-366-9805
For questions about insurance: 202-385-2423
For household goods complaints: 888-DOT-SAFT (888-368-7238)
15. Become familiar with the regulations pertaining to the handling of Loss and Damage Claims found under Title 49 C.F.R. 370.



South Carolina Department of Public Safety, State Transport Police

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Reported By: <i>Digene Randall</i>		Title: <i>S/I</i>		Code: SC0009												
Received By: <i>Michael Nierwinski</i>		Title: <i>owner</i>														

